

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff

v.

CRIMINAL NO. 08-243 (JAG)

MARGARITA PEROCIER, ET AL.,

Defendant

Opinion and Order

GARCIA-GREGORY, D.J.

Pending before the Court is the Government's Motion to Exclude Time From Speedy Trial Computations filed on December 3, 2010. (Docket No. 424). For the reasons stated below, the Court **GRANTS** the Government's motion.

On August 24, 2010 an evidentiary hearing was held before a Magistrate Judge on Defendant Perocier's motion to suppress statements made to government agents on September 27, 2010. (Docket No. 388). The Government now moves the Court to exclude from Speedy Trial Act computations any delay from August 24, 2010 until the issuance of the related Report and Recommendation. Defendants have not opposed the Government's motion.

The Speedy Trial Act ("STA"), 18 U.S.C. § 3151 et seq., serves to protect a defendant's Sixth Amendment right to a speedy trial. At the behest of the Government, this Court may exclude from STA computations any "delay reasonably attributable to any period, not

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to exceed thirty days, during which any proceeding concerning the defendant is actually under advisement by the court." 18 U.S.C. § 3151(h)(1)(H). The Court may also exclude any "delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing on, or other prompt disposition of, such motion." 18 U.S.C. § 3161(h)(1)(F). The Government states, without more, that "[t]he complexity level of this [white collar crime] case has become evident given the inordinate number of motions filed and number of evidentiary hearings held in this case." The Court takes note of the inordinate amount of filings in this case, as well as the number of defendants involved. Therefore, this Court grants the Government's request to exclude from STA computations the time between the filing of Defendant's Motion to Suppress and this Court's final determination on the matter.

CONCLUSION

For the reasons stated above, the Court hereby **GRANTS** the Government's Motion to Exclude Time from Speedy Trial Computations.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 12th day of January, 2011.

S/Jay A. Garcia-Gregory
JAY A. GARCIA-GREGORY
United States District Judge